

## **3.0 GETTING HELP FROM THE DEPARTMENT**

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### ***3.1 Transportation Planning Assistance***

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Assistance to municipalities for transportation planning is generally available from three sources: RPO's, consultants, and the MaineDOT. The choice will depend on several factors including cost, the type of expertise required, the magnitude of the work, and the need to involve the MaineDOT to ensure implementation of any recommendations. Requests related to transportation projects or planning studies involving significant resources may need to compete with other projects statewide, depending upon available resources. Very often transportation planning efforts are cooperative ventures, drawing on the strengths of a combination of planning professionals, who work with a municipality and its residents.

The MaineDOT does not need to be involved in a project if: 1) the implementation of recommendations would be carried out by the municipality alone; 2) it would not require alterations to MaineDOT- maintained infrastructure; 3) transportation impacts would be local in their extent; and 4) State and/or Federal funds will not be sought. Otherwise, the MDOT will be involved. Both consultants and Regional Councils/Planning Commissions are used to working with the MaineDOT in assisting municipalities.

#### **3.1.1 Regional Councils of Governments / Planning Commissions**

The advantage of using regional agencies for transportation planning assistance is that they draw on a very broad base of local knowledge, covering all aspects of those factors that control the demand for travel and transport, such as land use, and local demographic trends. They are also familiar with changes in land use and demographics in neighboring towns that may affect your community. The level of expertise in transportation planning and degree of specialization of staff varies considerably between agencies. For locally oriented transportation planning, a Regional Council/Planning Commission would be a sound choice. They have a regional perspective which is important to transportation systems. Dues-paying member communities usually receive free, or reduced-rate, transportation planning assistance. For larger projects beyond its capabilities or resources, a Regional Council/Planning Commission could advise a municipality about obtaining the services of a consultant, or assist in developing a joint Regional Council/MDOT project. Additional information can be obtained from the following RPO's:

Northern Maine Development Commission  
302 Main Street  
PO Box 779  
Caribou, ME 04736  
(800) 427-8736  
<http://www.nmdc.org/indexv2.cfm>

Eastern Maine Development Corporation  
(Penobscot Valley Council of Governments and Washington County Council of Governments)  
PO Box 2579  
Bangor, Maine 04402-2579  
(207) 942-6389  
<http://www.emdc.org/index.cfm>

Hancock County Planning Commission  
395 State Street  
Ellsworth, ME 04605  
(207) 667-7131  
<http://www.hcpcme.org/>

Mid Coast Regional Planning Commission  
166 Main Street, Suite 201  
Rockland, ME 04841  
(207) 594-2299  
<http://www.midcoastplanning.org/>

Mid-Coast Council for Business Development and Planning  
7 Park Street  
Bath, ME 04530  
(207) 443-5790  
<http://www.mcbdp.org/>

Kennebec Valley Council of Governments  
17 Main Street  
Fairfield, ME 04937  
(207) 453-4258 ext 25  
<http://www.kvcog.org/kvcog.html>

Androscoggin Valley Council of Governments  
125 Manley Road  
Auburn, ME 04210  
(207) 783-9186  
<http://www.avcog.org/index.php>

Greater Portland Council of Governments  
68 Marginal Way, 4th Floor  
Portland, ME 04101  
(207) 774-9891  
<http://www.gpcog.org/>

Southern Maine Regional Planning Commission  
21 Bradeen Street, Suite 304  
Springvale, ME 04083  
(207) 324-2952  
<http://www.smrpc.org/>

### **3.1.2 Consultants**

The great strength of consultants is that they can employ whatever specialist professionals are necessary for the project. However, their approach is project-oriented; when the job is completed, the client/consultant relationship ends, and the team of professionals are likely to be dispersed. A consultant would be a good choice to carry out a well-defined project that will have a definite end, and where the expectations of the

client are well articulated. One possible disadvantage of consultants is that they may lack

direct local knowledge. To overcome this shortfall, consultants sometimes use the local Regional Council/Planning Commission to carry out the public outreach segment of the project, or as a source of local planning data.

### **3.1.3 Maine Department of Transportation**

The MaineDOT gives daily transportation planning advice through its Planning Division. When a municipality wishes to address a transportation problem that has great significance, either because of its location or its state-wide or regional importance, the MaineDOT may, if its resources allow, become directly involved in its study. The process of planning a project with the MaineDOT may require considerable discussion within the community and with the MaineDOT to clarify the priorities of the community and the need for the study. The local Regional Council/Planning Commission is well equipped to help in this process.

In addition, the Department can assist communities with corridor planning for Scenic Byways; access management; mobility preservation; congestion management; comprehensive planning and transportation capital improvement planning. The Department's Local Road Center can also help with its "Road Surface Management System" (RSMS) program to assist towns in setting up a multi-year local road maintenance plan.

The advantages of direct MaineDOT involvement are: there is no direct local cost; the Department has transportation specialists that can be assigned as necessary; and implementation arising from the planning will be State-facilitated. The MaineDOT will often supplement its planning efforts by using Regional Councils/Planning Commissions, particularly for public outreach, local demographic and land use issues, and other subject areas where the local Regional Council/Planning Commission is knowledgeable. The MaineDOT also will use consultants on occasion, especially for projects requiring a high degree of professional specialization.

## **3.2 Bridges**

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The "local bridge law" is found in 23 MRSA § 561 to 568. All municipalities should conduct annual inspections or more frequent inspections if serious defects are noted of their local bridges and budget for their maintenance, repair, and replacement activities. MaineDOT inspects all bridges biennially and provides the inspection results on its website at <http://www.state.me.us/mdot-stage/brmgmt/homepage.php>. Municipal personnel should follow up the MaineDOT safety inspection and schedule routine maintenance for the bridges. The actual law is as follows:

***"Municipal-maintained structures.** For a structure for which a municipality has maintenance responsibility, the department shall advise the municipality of its inspection findings, noted deficiencies and recommendations regarding posting or closure. The municipality has sole responsibility and authority to determine whether a structure must be posted or closed, except that the department may close the structure in cases of emergency or when the department reasonably determines closure is necessary to protect the*

*traveling public from imminent hazard. If the department becomes aware of deficiencies in a structure that could impact posting or closure decisions, the department shall promptly notify the municipality. The municipality is responsible for all costs and expenses related to the posting and closure, including any needed notifications, procedures, signing and barricades.*

Upon request by municipal officials, the MaineDOT provides limited engineering advice on the maintenance, repair, reconstruction, and replacement of bridges. The advice may include recommendations, methods of accomplishing the work, and sketches if needed. However, complete plans cannot be provided. Some field guidance is usually available from either the Augusta Bridge Maintenance Office at (207) 624-3580, or the Regional Bridge Maintenance Manager at your Regional Maintenance Office.

The law as stated in 29-A MRSA § 2387 requires MaineDOT to take an active role in posting municipal bridges. MaineDOT is responsible for ensuring the posting of all bridges that cannot safely carry legal loads. MaineDOT will send a specific letter to any town with an unsafe bridge that provides information for determining a safe load capacity. State law requires all posting limits to be those recommended by MaineDOT or by a Registered Professional Engineer except for short-term emergency posting.

MaineDOT's preferred approach to posting weight limits on local bridges is advisory. However, MaineDOT is authorized by law to post a public bridge in order to protect the public. Posting protects both the public investment and the municipality from liability. All signing must be done in accordance with the Manual for Uniform Traffic Control Devices (MUTCD) to ensure legal posting. Signing includes an advance warning sign and a weight limit sign at the bridge.

For specific information about bridge maintenance and capital improvement funding see [section 4.1.9](#)

For more information contact the MaineDOT Bridge Management Section at (207) 624-3300, or the Bridge Maintenance Staff of your local Regional Office.

### ***3.3 Highway Right-of-Way Issues***

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#### **3.3.1 Definition of Right-of-Way**

The long history of highway construction in the State of Maine (beginning in the 1700's) has left a legacy of highway rights-of-way that range from those having full legal and physical definition, through the ill defined, to the completely indefinable. Because a considerable amount of the "State Highway System" itself consists of highways that were originally laid out by the counties and towns (so-called designated State Highways), there are, on occasion, some limited sections of the State Highway System on which it may be difficult to define the actual limits of the highway right-of-way. MMA's "Municipal Road Manual" contains an excellent description of the various types of highway right-of-way and a discussion of their implications. Generally, the older a road is and the less improved it is, the greater the possibility that its right-of-way is poorly defined. In

instances where original road layout records have been lost by fire, have been not preserved, or are otherwise not available, the responsible governing body can claim a “prescriptive easement” to that area defined as “wrought portion.” The so-called “wrought portion” consists of the roadway, shoulders, ditches and slopes. To determine the status and extent of local highway rights-of-way, a municipality may need to research its town records for road layouts, subdivision plans, miscellaneous surveys and consult deeds on file at the Registry of Deeds. The most comprehensive data bank of County and State Highway road records in the State is located at the MaineDOT in Augusta. It has particularly extensive research data on original county roads and much of the “State Highway System.” For more information call (207) 624-3460.

### **3.3.2 Project Right-of-Way**

When the Maine Department of Transportation undertakes a project such as rehabilitation, reconstruction, or new construction, all right-of-way related activities are dealt with in a manner prescribed by the Department's Right-of-Way Manual. These include activities such as the preparation of right-of-way maps, appraisals, negotiations, and acquisition of land and rights in land. For more information and project-specific details, contact the Real Estate Manager in either the Arterial, Bridge or Regional Programs in Augusta at (207) 624-3480, 624-3490 or 624-3470 respectively.

### **3.3.3 Control of Activities within State Highway Rights-of-Way**

In addition to the usual traffic controls on the paved portion of the highway right-of-way, other activities on the non-paved portion of the right-of-way are controlled by the Department. (See 23 M.R.S.A. §1401). For example, no permanent structures and/or encroachments such as buildings, gasoline pumps and tanks or other obstructions can be erected or installed within any portion of the highway right-of-way. The Federal Highway Administration also has a "Clear Zone Policy" that sets standards on federally funded highway improvements. An important consideration is the possible blocking or restriction of sight-lines at access points to the highway, and providing space for vehicles to run off the highway in the event of a crash. For information on prohibited activities within the highway right-of-way, please contact the Traffic Engineering in Augusta at (207) 624-3611.

### **3.3.4 Utilities**

Installations of utility facilities are allowed within the highway right-of-way pending approval by the MaineDOT. All utilities must follow the standards in the Department's “Utility Accommodations Manual” found at [www.maine.gov/mdot/utilities/utilities-home.php](http://www.maine.gov/mdot/utilities/utilities-home.php). Utility companies or corporations, municipalities, or private individuals must apply to the Location and Opening Permits Section of the Bureau of Maintenance and Operation's Highway Maintenance Division. For more information on the application procedure, please see the above website or contact the MaineDOT at (207) 624-3270.

### **3.3.5 Highway Opening Permits**

Anyone who wishes to excavate within the right-of-way of a state-maintained highway must first obtain a permit from the Regional Manager for the area in which the work is to be done. The issued permit becomes an agreement between the applicant and the MaineDOT as to the date, location, and the fee that the applicant will pay (based on the area of reinstatement of the excavation). On town-ways, excavations may be controlled by local ordinance; persons needing to excavate in the municipal right-of-way should apply to their municipal office for more information. See Liability section for Traffic Control during construction. Addresses and telephone numbers for the local MaineDOT Region offices are found in Section 1.4.

### **3.3.6 Driveway/Entrances onto State and State-Aid Roads**

Anyone who wishes to construct or maintain any driveway, entrance, or approach within the right-of-way shall receive a written permit from the Department. It is unlawful to construct or maintain any driveway, entrance or approach within the right-of-way of any state or state aid highway (23 MRSA § 704) that lies outside the compact area of an urban compact municipality, without a written permit from the proper municipal officials. The right-of-way is considered the full width of the right-of-way as laid out by the State, county or the municipality.

An information and application packet is available from the local MaineDOT Region Office. If the proposed driveway or entrance lies within a written permit from the proper town officials is required.

In 1999, the law was changed significantly in an attempt to “manage access” on certain state highways to ensure safety of the public. Under State law 23 MRSA, Section 704 as amended in 1999, the DOT is directed *“and towns are authorized to make such rules and regulations as to design, location, and construction of driveways, entrances, and approaches... as will adequately protect and promote the safety of the traveling public and maintain highway drainage.* Rules

were adopted in 2001 and became effective in 2002. There is much more information available on the Bureau of Planning’s website. [www.maine.gov/mdot/Trans-Planning.php](http://www.maine.gov/mdot/Trans-Planning.php)

State law also states that a permit is required if an existing driveway or entrance is changed in location, grade, or otherwise improved. In addition, a permit shall be required if any existing driveway or entrance is changed in degree or kind of use.

### **3.3.7 Traffic Movement Permits**

In January 2000 after a change in law, a development generating more than 100 Passenger Car Equivalents (PCE) during a peak hour must receive a Traffic Movement Permit. Any developer who generates more than 100 PCE trips MUST apply to the Regional Traffic Engineer in the area with jurisdiction over the project. (See section 4.4.5 for definitions) The developer then submits the application (with plans stamped or sealed

by both a registered Professional Engineer and Registered Land Surveyor). After the application has been deemed complete, a meeting is set up to determine the scope of the project. Depending on the amount of trips generated (100-200 or over 200 PCE's) the developer may be required to do a traffic study as defined at the scoping meeting.

### **3.3.8 Culverts on State and State-Aid Roads**

Anyone wishing to place culverts within the right-of-way on highways outside the compact section, shall request a permit from the MaineDOT. Information can be obtained at the MaineDOT Regional Office.

When a permit is issued, the applicant shall provide, at his / her expense, a culvert satisfactory to the Department, which the Department shall install and maintain thereafter.

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## ***3.4 On-Street Parking Controls: Options, Enforcement***

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A municipality is responsible for controlling parking on all highways within its bounds. This does not apply to the Interstate System or the Maine Turnpike. Control is accomplished through local ordinance, and can be enforced by local, county, or state police. Only in particularly hazardous circumstances would the MaineDOT consider imposing parking restrictions. Liaison between the municipality, local and state police, and the MaineDOT Region Traffic Engineer is strongly advised in developing a plan for controlling on-street parking on town ways, and/or state-maintained roads. “No-parking signs” are generally approved and installed by the municipality because of local traffic conditions and safety concerns. The MaineDOT will place “no-parking signs” on a one-time basis after enactment of the parking control ordinance on state-maintained roads. Addresses and telephone numbers for the Regional Maintenance offices are found in [section 1.4](#) of this guide.

## ***3.5 Speed Limits***

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Request for changes (increases as well as decreases) to the speed limits on all town ways and state highways are made in writing by a municipality to the MaineDOT through the Region Traffic Engineer ([see section 1.4](#)). Citizens should direct their requests through their municipality. Because the MaineDOT receives so many requests for speed zone changes, a Town should “screen” some of the unwarranted requests by doing a quick review. The review criteria is found on the MaineDOT website ([www.maine.gov/mdot/traffic-counts/traffic-monitoring.php](http://www.maine.gov/mdot/traffic-counts/traffic-monitoring.php)) or by calling 624-3270. Fewer requests to MaineDOT will result in a shorter response time on warranted requests.

In 2001, the law was modified to allow any municipality over 5,000 population (by U.S. Census) or that employs a registered Professional Engineer to take the option and responsibility of setting all speed limits on its local roads only. Much more information

is available on the Community Services Division website ([www.maine.gov/mdot/mlrc/mlrc-home.php](http://www.maine.gov/mdot/mlrc/mlrc-home.php)).

A survey of traffic speeds and characteristics of the road in question is carried out, and the Regional Traffic Engineer may recommend a new speed limit if justified. That recommendation is passed to the Commissioner of the Department of Transportation who, with the advice and consent of the Chief of the Maine State Police, sets the new

speed limit. Consideration is given to: the design speed of the highway; the frequency of

public and private access points; intersections; and degree or frequency of roadside businesses along its length; the current speed of traffic; and history of crashes on the road sections. Addresses and telephone numbers for the local Regional office are found in [section 1.4](#).

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## **3.6 Signs**

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Traffic signs are the responsibility of the municipalities on all locally maintained highways. The MaineDOT is responsible for traffic signs on state and state aid roads. In urban compact areas, the municipality is responsible for all traffic signs except destination and route markers, and speed limit signs where the limit changes.

### **3.6.1 Traffic Control Signs**

A traffic control sign is a way of addressing a traffic/road safety problem. A municipality should consult with the Region Traffic Engineer or a professional traffic engineer, as appropriate, to see whether a sign would be effective before installing one. All signs used for traffic control placed on state or local roads must be designed and placed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD).

Although road markings (lane striping and center lines, etc.) are advisory, they are considered traffic control devices. Responsibility for the provision/installation/application and maintenance of traffic control devices is as follows:

#### **3.6.1.1 On Local Roads**

Traffic signs and road markings on local roads are the municipality's responsibility for installation, maintenance, and replacement. Regulatory signs, such as "Stop" and "Yield" signs can only be installed after the adoption of a local traffic ordinance authorizing their placement and use. Call MMA or the Local Roads Center for a sample ordinance. A "Stop" or "Yield" sign on a local road at its intersection with a state road is the responsibility of the MaineDOT, if the MaineDOT is responsible for traffic control signs on the state road.

#### **3.6.1.2 On State Roads**

Outside the urban compact areas on state and state aid roads, the MaineDOT is responsible for traffic signs and road markings. Municipalities should write to a Region Traffic Engineer, outlining the problem that the traffic control device would address. In an urban compact area, the municipality is responsible for providing, installing, and maintaining all traffic signs and road markings. However, a proposed "Stop" or "Yield" sign on a state road in a compact area must be reviewed by the MaineDOT Traffic Engineer.

### **3.6.2 Destination and Route Signs**

These signs are the sole responsibility of the MaineDOT. They are installed and maintained by MaineDOT. Requests for additional signs or re-signing should be directed to the Region Traffic Engineer. Requests to replace existing signs that have deteriorated,

been damaged, or have fallen should be directed to the local MaineDOT Maintenance Division. Addresses and telephone numbers for the Region offices are found in [section 1.4](#).

**3.6.3 “Special” Warning Signs:** “Children At Play”, “Deaf Person”, “Disabled Person”, “Horse Crossing” etc.

On the surface, the use of these signs appears to provide some “safety” to children, disabled folks, and animals. However, the driving public does not react favorably or positively to these signs in most cases. In the late 1990’s, the MaineDOT changed its policy on the installation and maintenance of these signs. It is virtually impossible for the MaineDOT to keep track of every disabled person, playing child, and crossing horse in every town along all State roads. Therefore, the MaineDOT created the following policies for new requests and/or existing signs.

For any NEW installation of these types of signs, the responsibility for deciding to erect these signs along a State road will now be with the municipality. Any person who requests one of these signs will be directed to their municipal office. It will then be the responsibility of the town to decide whether it wants to allow these signs; if so, the municipality must purchase, install, and maintain these signs. All signs must meet the standards of the MUTCD installed according to standard MaineDOT policy. Any questions can be directed to the Regional Traffic Engineer in the local MaineDOT Regional office. [See section 1.4](#) for phone numbers.

For all EXISTING signs of this type, the MaineDOT no longer maintains or replaces these signs. The full maintenance responsibility now rests with the municipality.

For signs on local roads, the municipality needs to decide whether to allow these signs or not. Knowing that these signs are generally ineffective, MaineDOT does NOT advise the use of these signs because allowing one sets precedence and generates many more requests and creates a new financial burden on the municipality.

MaineDOT will continue to install “disabled person signs” at established businesses, which have disabled customers who must cross the road to access the business. In addition, MaineDOT will continue to install “horse crossing” signs at established businesses, which are at established horse riding businesses with horses crossing the road.

### **3.6.4 Engine Brake or “Quiet Zone” Signs**

Many towns around Maine have started erecting “No Jake Brake” signs (or something similar) in hopes of “controlling” the engine noise from downshifting trucks. Many residents are conscious of the noise and want the town “to do something” about the noise. Depending on your town and the cooperation of truckers, the results may be positive or they may be negligible.

The MaineDOT will not erect these signs on state roads. The only way that a sign will appear is if a town officially adopts a traffic ordinance under 30-A § 3009 and erects the

signs. Then the town will be responsible for enforcement, sign maintenance, or any liability issues. If the town decides to enact a traffic ordinance, it probably is best to hope for voluntary compliance, but who will do the enforcement? Another ordinance without enforcement possibilities is relatively useless. Be sure to use the white-on-black signs and try to avoid the term “jake brake”.... maybe use “quiet zone ahead”, or “reduce engine noise ahead”. If a town does not adopt an ordinance and simply puts up a sign or two, the signs have no legal authority or enforceability.

Enacting a traffic ordinance to deal with “jake brakes” under 30-A § 3009 may seem like a kind and responsive reaction to engine noise, but is safety of the public being compromised?? Engine brakes are very effective at reducing the speed of heavy trucks on a downgrade, but what if the trucker had to stop quickly for a child or elderly person or an entering vehicle, and only use his regular brakes?? In most cases, the stopping distance will be longer without the engine braking system and this could lead to disaster at the bottom of the hill.

At best, the success of an ordinance will probably be voluntary compliance from truckers. Some truckers may be sensitive to their truck noise and will try to reduce the noise, while others may intentionally try to make it worse, especially if a “squeaky wheel” citizen is emphatic about the noise problem. If the local police get into the action of enforcement, are they going to check the actual engine braking system installed on each truck, or have a decibel meter to measure the

noise level? What if the trucker says he had to stop quickly for a pedestrian? Or the car in front of him stopped quickly?

Most states, including Maine, already have a law on the books that prohibits operating a motor vehicle on a public highway without a serviceable muffler (MRSA 29-A§ 1912). The real noise offenders, those with straight stacks or gutted mufflers, are operating in violation of this law. Have your local police stop noisy vehicles and check them for muffler integrity. Cite those that are not in compliance. This is a fairly easy step that should produce a noticeable improvement in the quality of life of your community.

### **3.6.5 On-premise Signs (business signs on your own property)**

These signs are governed by Maine Traveler Information Act (23 MRSA § 1901-1925). They may also require a license or permit from the municipality in which they are to be erected, but in general they do not require MaineDOT approval.

The law allows a limited number of signs, and all the signs must be located within 1,000 feet of the principal building. The maximum height of the signs is also regulated. No on-

premise sign may be erected in the right-of-way of any public way. Signs erected after

September 1, 1957, may not be located within a specified distance of a highway. There are special requirements and restrictions for signs visible from an interstate highway.

**Prohibited Signs:**

- a) On-premise signs will be prohibited if they attempt to direct traffic, cause or create an obstructed view of official signs and approaching traffic, or contain any moving or flashing lights.
- b) “billboards” or off premise signs are prohibited -- see section 3.6.6 for alternatives

The local authorities are responsible for regulating on-premise signs within compact or built-up areas except where they are adjacent to Interstate highways. The MaineDOT is responsible for regulating on-premise signs in all other areas. For more information about the provisions of the law and its administration, please call MaineDOT’s Traffic Engineering Division at (207) 624-3620.

**3.6.6 Intra-community Directional Signs**

These small generally white-on-blue background rectangular signs guide travelers to locations within a community such as the hospital, airport, parks, arenas, business districts, villages, town offices, schools, government agencies, etc. They are erected and maintained by the municipality and must not be erected in conjunction with (mounted on) the official highway sign or post, or conflict with official highway signs. All installations shall conform with the “Manual on Uniform Traffic Control Devices” (MUTCD).

**3.6.7 Official Business Directional Signs (OBDS)**

OBDS signs must conform to state regulations. OBDS signs shall be located within the highway right-of-way on approaches to intersections where travelers must change direction from one public way to another to reach a business, service, or point of interest or where appropriate at the end of “T” intersections. A business, service facility, or point of interest shall not be permitted more than one sign at any one intersection approach. Each place of business, service, or point of interest shall be eligible for a maximum number of six OBDS. To qualify for an OBDS, the business, service, or point of interest must be within a ten mile radius of the proposed location of the sign.

OBDS shall not be permitted within the right-of-way of the Interstate Highway System or fully controlled access highways.

Applications for OBDS signs shall be made on forms furnished by MaineDOT (regional offices, main office, or website) after obtaining municipal approval as some municipalities regulate the location and site of these signs in ways different from other municipalities. The Department shall review and have final responsibility and authority to determine the specific size and location of any sign. Signs not deemed to meet the intent and purpose of the law or the criteria established in these regulations shall not be

approved or erected. Addresses and telephone numbers for the local Maintenance Division offices are to be found in [section 1.4](#).

### **3.6.8 Adopt - A - Highway Signs**

This Program was introduced by MaineDOT in 1999 to communities who wanted to allow charitable organizations, individuals, or businesses to perform litter pickup or highway beautification activities. All signs placed on any public road must receive prior review and approval by MaineDOT. An information packet is available from the Community Services Division at 624-3270 or on their website.

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## ***3.7 Traffic Signals***

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### **3.7.1 On a State Road**

A municipality should apply for a traffic signal to the MaineDOT through the Regional Traffic Engineer. A traffic survey is carried out and depending upon the results, an installation may be recommended. The warrants for installing a traffic signal are found in the manual on Uniform Traffic Control Devices and include the following criteria: traffic volumes on the major and minor roads, number of pedestrians, proximity to schools, and crash records. If warranted, installation on a state highway would be contingent upon inclusion in the MaineDOT's Capital Improvement Program (formally BTIP). Maintenance and electrical power costs are the responsibility of the municipality in urban compact municipalities and are the partial responsibility of towns in rural areas. Addresses and telephone numbers for the local Maintenance Regional offices are found in [Section 1.4](#).

### **3.7.2 On a Local Road**

A municipality is advised to obtain expert advice when considering traffic signals on a local road. The Regional Traffic Engineer may provide assistance. A licensed traffic engineer is needed to design the installation. Funding for such installation is the town's responsibility although certain installations may be eligible for federal funding through the Hazard Elimination program or Congestion Mitigation Air Quality program (see Funding). Maintenance and electrical power costs are the responsibility of the municipality.

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## ***3.8 Flashing Intersection Beacons***

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Flashing beacons at intersections have been found by the MaineDOT to be largely **ineffective** in addressing traffic problems. Rather than inducing caution, the average speed of vehicles on the through road may increase after the beacon is installed. However, in certain situations, a beacon can help. A beacon can reduce the number of incidents caused by side road drivers who fail to see or ignore a stop sign. Careful

examination of the traffic flows and intersection configuration should be done before making any decision.

A municipality seeking the installation of a flashing beacon at an intersection of two local roads would be advised to seek professional assistance, either from the Regional Traffic Engineer or a licensed traffic engineer. Installation, ongoing maintenance and electrical costs of such a beacon would be a municipal expense. A municipality wishing to have a flashing beacon on a state-maintained road should approach the Regional Traffic Engineer. If warranted, the Engineer would recommend such an installation. A cost sharing agreement may be made between a municipality/school district and the MaineDOT so that after the MaineDOT installs the beacon, the municipality/ school district maintains it and pays for the electrical power. Addresses and telephone numbers for the local Regional offices are found in [section 1.4](#).

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### ***3.9 Crosswalks***

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The provision of crosswalks on all highways (other than controlled access highways such as an interstate highway) is the responsibility of local officials. However, consultations with the Region Traffic Engineer and the local and/or state police are strongly advised before action is taken. The pattern of pedestrian movement, the ability of traffic to stop safely, the volume of the traffic flow that pedestrians will be crossing, and the speed of the traffic should be considered.

All crosswalk striping patterns and signs shall conform to the Manual on Uniform Traffic Control Devices (MUTCD). Cross walks are not allowed on state or state aid roads with speeds greater than 35 mph. Cross walks installed at higher speeds tend to create a false sense of security that in reality does not exist.

Crosswalks are not recommended at those locations that do not have a sidewalk for pedestrians on both sides of the street. Sidewalks are needed at pedestrian crosswalks because they give pedestrians a safe designated area as they walk along the street. Addresses and telephone numbers for the local Regional offices are found in [section 1.4](#).

A common sight within many crosswalks throughout Maine is the placement of a single orange barrel, cone, or other device on the centerline in an effort to slow down motorists and alert them to the cross walk and State law. As innocent and/or effective as this may appear to be, it could create certain safety and/or liability problems for municipalities (several studies are being done to determine their real effectiveness). The use of this device is now covered in the MUTCD. All existing signs on the road should be made compliant. Although they may “work”, pedestrians can develop a false sense of security, and pedestrian safety or vehicle control could be severely compromised if these devices are hit, especially if they are heavy metal devices. In today's litigious society, these devices should be discouraged from use on a roadway. For other alternatives, call your local MaineDOT Regional Traffic Engineer. Also, State law says vehicles must YIELD to pedestrians and not STOP, so any devices must say “YIELD”.

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### **3.10 Sidewalks/Bike Paths**

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On local roads, the municipality is responsible for providing and maintaining sidewalks and bicycle facilities. The town may be able to secure funds for sidewalk construction through other agencies such as the Department of Economic and Community Development. As part of a plan to reduce automobile emissions in an area designated "non-attainment" (see CMAQ), there maybe federal funding available for sidewalk construction or reconstruction, though this funding is not generally available on local roads. For more information contact the Planning Division at (207) 624-3300.

#### **3.10.1 Existing Sidewalks on State and State Aid Roads**

*Maintenance* of existing sidewalks on all public roads is the responsibility of the municipality in the summer and winter. Summer maintenance would include asphalt overlays. During paving and pavement rehabilitation projects MaineDOT sidewalk repairs are not eligible for MaineDOT funding. However, there are some exceptions and a Town would need to discuss this with the Project Manager.

Relative to *capital improvement projects* which involve a “major treatment” such as *roadway* reconstruction or rehabilitation where sidewalks are in need of significant repair, the department may include repair of the sidewalk, at the municipalities request, into the project. Eligibility will be based on past maintenance history of the sidewalk by the municipality and availability of funds. The cost share on rehabilitation of eligible sidewalks will be at 90% State/Federal and 10 % Municipal. If existing sidewalks are eligible, it is the Department’s policy to replace existing sidewalks utilizing the predominant existing pavement treatment material. The municipality is responsible for paying 80 % of additional costs for surfacing on existing sidewalk with material more costly than the existing predominant pavement treatment or a new sidewalk with material more costly than bituminous pavement (bricks, concrete, etc.). MaineDOT will contact the municipality prior to initiation of major treatment projects to discuss any existing sidewalks on the project.

Exception: Existing bridge sidewalks will not be replaced in areas where sidewalks do not otherwise exist and where normal shoulders will be provided.

#### **3.10.2 No Current Sidewalks**

When a municipality requests that a sidewalk be constructed as part of a MaineDOT “major treatment” project such as *roadway* reconstruction or rehabilitation project, the department may include it into the project if it is in a setting where it will be adequately utilized, will increase safety and the municipality agrees to maintain the sidewalk. Inclusion of a new sidewalk will also be dependent on the availability of MaineDOT

(state and federal) and municipal funding. New sidewalk will be constructed at a cost share of 50% state/federal and 50% municipal. The cost is intended to include gravel, pavement, and any additional features made necessary by widening for the sidewalk such as drainage, mitigation, retaining walls, right of way, or barriers.

During paving and pavement rehabilitation projects, MaineDOT sidewalk policy states that new sidewalk projects are not eligible for MaineDOT funding. A municipality may be able to add sidewalk improvement to a paving project at 100% cost to the municipality. However, there are some exceptions and a Town would need to discuss this with the Project Manager.

If a project has already been advertised and a sidewalk is requested by municipality, the municipality will be responsible for 100% of costs associated with the addition. In many cases it may not be practical to add the sidewalk project after advertising.

The Department will not perform any maintenance (summer or winter) on sidewalks unless otherwise stipulated in the City-State Agreement. MaineDOT has other programs that support stand alone bike and pedestrian facilities, for more information on these additional programs please contact MaineDOT's Bureau of Planning at 624-3000.

### **3.10.3 Americans with Disabilities Act**

Any sidewalk/pedestrian project must comply with the requirements and standards governed by the Americans with Disabilities Act (ADA). The ADA promulgates standards such as maximum grades and the requirements for curb-cut ramps to allow wheel chairs to cross streets. In addition, detectable warning surfaces for blind pedestrians may also be necessary at curb ramps.

Municipalities should contact the Bicycle and Pedestrian Coordinator, Office of Passenger Transportation, at (207) 624-3247 to discuss the project and options for funding at an early stage in the development, or contact MDOT's ADA Coordinator at (207) 624-3006.

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## ***3.11 Road Striping***

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All road striping on State and State Aid highways outside of urban compact areas is the responsibility of the MaineDOT Traffic Engineering Division. Annually, striping crews establish centerlines and edgelines and stencils of words such as "RR" crossings and "STOP AHEAD" on these State roads. Stripe color, width and design are determined by the standards established in the Manual on Uniform Traffic Control Devices (MUTCD).

In urban compact communities, the responsibility for striping on all State highways and local streets rests with the municipality. Striping standards must also follow the MUTCD. In addition, if any lane changes are proposed (i.e. restriping a wide 2 lane road to a 2 lane road with a center

turn lane), then DOT must be contacted for review and approval. This is required from a traffic engineering perspective, but it also affects the annual State funding under the Urban/Rural

Initiative Program (URIP) which relies on “lane miles” and not centerline miles. Therefore striping for turn lanes without actually constructing more roadway width may be eligible for additional U.R.I.P funds.

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### ***3.12 Maine Local Roads Center (LTAP)***

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The Maine Local Roads Center (MLRC) is a division of MaineDOT that offers training, technical assistance and information to municipalities throughout Maine. The primary audience of the MLRC are those municipal officials who are responsible for constructing, maintaining, and managing local roads and bridges in Maine. MLRC is one of more than 50 Technology Transfer Centers established as part of the Local Technical Assistance Program (LTAP) within the Federal Highway Administration. MaineDOT and the MLRC distributes its information and technical assistance through workshops held throughout Maine, a periodic newsletter (*Maine Local Road News*), field demonstration projects of new techniques, "hands-on" grader operator training; a free videotape lending library, publications on road maintenance techniques and products, an information service (through writing or calling the MLRC with questions or comments), and an evaluation program to assess MLRC's progress and future activities.

The two most popular workshops that MLRC conducts are the "hands on" grader operator training program and the work zone traffic control workshop. Other workshops conducted by MLRC include:

- Road Surface Management System (RSMS);
- Sign Inventory Management System (SIMS);
- Basics of Signing, Striping & Speed Limits
- Backhoe/Loader Training
- Snow and ice control on local roads;
- Municipal Equipment Management System (MEMS);
- The fundamentals of roadway construction and maintenance;
- Basics of a town paving contract;
- Maintaining Local Bridges
- Local highway law and the Maine Tort Claims Act;
- Basic Measurement and Survey;
- Drainage, Drainage, Drainage;
- The basics of hot-mix asphalt pavements;
- Effective local road management; and
- Summer field demonstration projects on pavement recycling.

The Center also employs a “Road Ranger” to assist local officials, road committees, and public works crews with local road issues. He is available for on-site training and technical assistance

on a variety of subjects. MLRC also offers free on-site computer assistance with the RSMS, SIMS and MEMS programs. MLRC maintains a statewide mailing list that includes local road

commissioners, town managers, selectmen, public works directors, councilmen, highway foremen, and others interested in local roads.

For more information, call the Maine Local Roads Center at (207) 624-3270 or email at [local.web@maine.gov](mailto:local.web@maine.gov) .